

Approved Minutes  
Land Trusts Protection & Advocacy Committee  
Tuesday, November 17, 2020 | 9 a.m.

Utah State Board of Regents Building: 60 S 400 W  
Salt Lake City, UT

Zoom Video Conference:  
<https://utah.zoom.us/j/96796234792>

Members of the Committee Present:

Paula Plant (USB)  
Richard Ellis (my529)  
Louie Cononelos- virtually (Louie Cononelos & Associates Consulting LLC)  
Steve Ostler (Community Volunteer)  
Brigham Tomco - virtually (Zylun Global)

Others Present:

David Damschen (Utah State Treasurer)  
Kirt Slaugh - virtually (Utah Chief Deputy State Treasurer)  
Marissa Sittler – virtually (Utah Office of State Treasurer)  
Jessie Stuart (Land Trusts Protection & Advocacy Office)  
Scott Ruppe – virtually (SITLA)  
Chris Ogren – virtually (SITFO)  
Margaret Bird – virtually (Higher Education Beneficiaries)  
Thomas Riley – virtually (Utah State Hospital)

Meeting called to order by Chair Ostler at approximately 9 a.m.

1. Welcome

Chair Ostler opened the November 17, 2020 Land Trusts Protection & Advocacy Committee meeting.

2. Approval of Prior Meeting Minutes

Chair Ostler welcomed the approval of the October 30, 2020 meeting minutes. Mr. Cononelos made a motion to approve the minutes and Mr. Ellis seconded the motion. The motion passed unanimously with all committee members voting in favor.

Record of Vote:

Mr. Tomco: Aye  
Ms. Plant: Aye  
Mr. Ostler: Aye  
Mr. Cononelos: Aye  
Mr. Ellis: Aye

### 3. Advocacy Office Director Candidate Interviews

Chair Ostler stated that the purpose of the closed meeting is to interview Advocacy Office director candidates, which will require the Committee to go into closed session pursuant to Utah Code §52-4-205(1)(a) to discuss the character, professional competence, or physical or mental health of an individual(s). Ms. Plant made the motion to go into a closed session to do so, with Mr. Ellis seconding the motion.

The motion passed unanimously with all committee members voting in favor.

Record of Vote:

Mr. Tomco: Aye  
Ms. Plant: Aye  
Mr. Ostler: Aye  
Mr. Cononelos: Aye  
Mr. Ellis: Aye

Treasurer Damschen and Ms. Sittler were invited to join the closed session.

### 4. Protection & Advocacy Office Report

After the closed session ended, the Committee resumed into open session to conclude the meeting.

#### a) Legislative Meetings Update

Ms. Stuart stated that she and Ms. Plant have not been on any additional legislative meetings since the Committee has last met. Ms. Plant shared information on the new legislators in the Utah House and Senate.

#### b) Beneficiary Distribution Report Update

Ms. Stuart stated that the Advocacy Office sent a beneficiary distribution report to the beneficiaries, except the Public Schools Trust, as Ms. Griffin from the Utah Office of State Treasurer had prepared a news release for that trust. Ms. Stuart shared an example of the distribution report that was sent to beneficiaries. She added that the beneficiaries appreciated the transparency and communication and the Office received good feedback for it. Every beneficiary had an increase this year. Ms. Plant commented that Ms. Start took the initiative for these reports and commended her for her work.

#### c) Annual Report Update

Ms. Stuart stated that the Annual Report for the Advocacy Office is still in progress and they hope to have a document to share soon.

#### d) Trust Lands Video – Final

Ms. Stuart stated that the trust lands video is now complete. The video was created in collaboration with SITFO, SITLA, USBE, the Utah Office of State Treasurer, and the Advocacy Office. The video was shared with the Committee and received positive feedback. Mr. Cononelos

asked who the intended audience is for the video. Ms. Stuart responded that the slightly shorter version of the video is directed to legislators, while the longer version is intended for larger audiences such as education communities. Ms. Plant will be sending the video to the School Community Councils for their December training. Mr. Cononelos commented that he would love to see mandatory viewing by every public school's faculty.

## 5. Committee Discussion Items

### a) Trust System 2021 Legislative Proposals

Ms. Plant provided an update that SITFO's staffing plan. It is not their intent to take five years to build out their staff, rather for it to be complete by 2022; however it could take longer as there are some challenges. Director Madsen has agreed to attend the next Advocacy Committee meeting to explain SITFO's intentions. Treasurer Damschen commented that he and SITFO will be meeting with the Utah Governor's Office of Management and Budget to try to ensure that it is a clear message and everyone is comfortable with it.

SITFO will be running a bill for a reduction from six to four meetings annually, as well as an OPMA exemption to be able to go into closed sessions when discussing the sale or purchase of identifiable securities, investment funds, or investment contracts that are subject to confidentiality provisions.

Additionally, in the distribution policy there is a 12-quarter rolling average (3 years). SITFO will be running legislation to extend this rolling average to 20-quarters (5 years). This would mitigate the influence of markets on the distribution even further as well as reduce the volatility of the distribution.

SITLA will not be requesting a budget increase. At this point, they do not plan on running and legislation but will be tracking any legislation that could have an impact the trust lands administration.

### b) Recommendations Summary from SITLA, SITFO, and Beneficiary Meetings

Ms. Plant stated that she and Ms. Stuart met with management from SITLA and SITFO, the higher education beneficiaries, and Superintendent Coleman from the Schools for the Deaf and Blind. Ms. Stuart also has corresponded with Utah State Hospital, and Youth Development Center. The Reservoirs Trust is the only beneficiary that she has been unable to connect with.

Ms. Plant noted the recommendation from Mr. Cononelos that if something is mentioned at least three times, to include the comments in the Recommendations Summary. Ms. Plant provided an overview of the Recommendations Summary, which emphasized increasing advocacy and communication from the Advocacy Office.

c) Agency Goals and Recommended Actions

Ms. Plant stated that the first copy of the Agency Goals and Recommended Actions that was sent out raised some concerns from trustees that there were items in the document that had not been discussed with them. The document was retitled to reflect that the items listed are for consideration and discussion.

Ms. Plant stated that the Advocacy Office Director Responsibilities Summary was created by Mr. Atwater to outline his day-to-day responsibilities.

Ms. Plant asked for the Committee's input and direction moving forward. Chair Ostler thanked Ms. Plant for her work during the interim. Chair Ostler stated that he believes the documents provide a transition for the new director to be successful and understand what the Office is doing and potential action items. The documents will also help the Committee start to outline framework of goals and objectives that they would like to see from the Office, which will likely be further discussed in the future once a new director is in place. Ms. Plant commented that she hopes the documents shared will provide direction for a new director for context of what has gone well and what would add more value going forward.

d) Orientation Plans for a Director

Ms. Plant opened the discussion for orientation for an Advocacy Office director. Chair Ostler commented that Treasurer Damschen would need to be involved in the orientation process. Treasurer Damschen commented that URS has an excellent orientation process and it is important to define what is appropriate and needed for orientation.

6. Future Meeting Dates

It was decided that Tuesday, January 12, 2021 will be the next meeting for the Committee.

Mr. Cononelos suggested informing the selected Advocacy Office director that there may be need for an additional staff member being added to the Advocacy Office at some point in the future.

7. Adjourn

Chair Ostler welcomed a motion to adjourn. Ms. Plant made the motion with all members voting in favor.

Record of Vote:

Mr. Tomco: Aye

Ms. Plant: Aye

Mr. Ostler: Aye

Mr. Cononelos: Aye

Mr. Ellis: Aye

Chair Ostler thanked everyone for their work and commended Ms. Stuart and Ms. Plant for their efforts.

The meeting was adjourned.